

**MONDAY, MARCH 22, 1999**  
**NINETEENTH LEGISLATIVE DAY**

The House met at 5:00 p.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by Rev. Mike Moore, Morris Chapel Baptist Church, Morris Chapel, Tennessee.

Representative Rinks led the House in the Pledge of Allegiance to the Flag.

**ROLL CALL**

The roll call was taken with the following results:

Present.....96

Representatives present were: Armstrong, Arriola, Baird, Beavers, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

**EXCUSED**

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under **Rule No. 20**:

Representative Bittle; family death.

Representative McAfee; illness.

Representative Turner (Hamilton); illness.

**SPONSORS ADDED**

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

**House Bill No. 125:** Rep(s). Ferguson as prime sponsor(s).

**House Bill No. 218:** Rep(s). Langster as prime sponsor(s).

**House Bill No. 508:** Rep(s). Pleasant, Miller, and Towns as prime sponsor(s).

**House Bill No. 676:** Rep(s). Cole (Dyer), Langster, Fitzhugh, White, Dunn, Jackson, and Davidson as prime sponsor(s).

**House Bill No. 843:** Rep(s). Bone, McDonald, and West as prime sponsor(s).

**House Bill No. 858:** Rep(s). Brooks as prime sponsor(s).

**House Bill No. 1368:** Rep(s). Pleasant as prime sponsor(s).

**House Bill No. 1454:** Rep(s). Boyer, McDonald, Pleasant, Cooper, and Maddox as prime sponsor(s).

**House Bill No. 1522:** Rep(s). Arriola as prime sponsor(s).

**ENGROSSED BILLS**

**March 19, 1999**

The following bill(s) have been examined, engrossed, and are ready for transmission to the Senate: House Bill(s) No(s) 210, 252, and 540.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**MESSAGE FROM THE GOVERNOR**

**March 19, 1999**

MR. SPEAKER: I am directed by the Governor to return herewith: House Bill(s) No(s). 433, 1224, and 1566, with his approval.

COURTNEY PEARRE, Counsel to the Governor.

MESSAGE FROM THE SENATE

March 22, 1999

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 970, 1594 and 1767; all passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**Senate Bill No. 970** -- Motor Vehicles, Titling and Registration - Authorizes issuance of license plate for city of Oak Ridge Amends TCA Title 55, Chapter 4. by \*McNally, \*Davis L. (\*HB885 by \*Caldwell, \*Ferguson)

**\*Senate Bill No. 1594** -- Teachers, Principals and School Personnel - Requires commissioner of education to review evaluations of teachers and applicants; deletes state conducted evaluations of apprentice teachers Amends TCA Section 49-5-5205. by \*Crowe, \*Atchley. (HB1110 by \*Davis (Cocke), \*Ford S)

**Senate Bill No. 1767** -- Highway Signs - "Charlie and Marie Franks Memorial Bridge," bridge spanning Cartwright Creek on S.R. 106, Williamson County. by \*Blackburn. (\*HB1764 by \*Sargent)

RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolution(s) was/were introduced and placed on the Consent Calendar for March 24, 1999:

**House Resolution No. 31** -- Memorials, Heroism - William Jed Gunter, Purple Heart Medal. by \*Phillips.

**House Joint Resolution No. 153** -- Memorials, Academic Achievement - Sarah Jobe, perfect SAT score. by \*Hargett.

**House Joint Resolution No. 154** -- Memorials, Academic Achievement - Johnathan Wang, Perfect SAT Score. by \*Hargett.

**House Joint Resolution No. 155** -- Memorials, Professional Achievement - Micki Duncan, Claxton Optimist Club Educator of the Year. by \*Caldwell.

**House Joint Resolution No. 156** -- Memorials, Personal Achievement - Jim LaFallotte, Ruritan National Vice President. by \*Givens.

**House Joint Resolution No. 157** -- Memorials, Retirement - Idus D. (Babe) Conner. by \*Gunnels, \*Kerr.

**House Joint Resolution No. 158** -- Memorials, Personal Achievement - Andre Finch. by \*Brown, \*Stulce, \*Wood, \*Sharp, \*Armstrong, \*DeBerry L, \*Chumney, \*Brooks.

**SENATE JOINT RESOLUTIONS**  
**(Congratulatory and Memorializing)**

Pursuant to **Rule No. 17**, the resolution(s) listed was/were noted as being placed on the Consent Calendar for March 24, 1999:

**Senate Joint Resolution No. 167** -- Memorials, Sports - 1998-1999 Mary Blount Middle school boys' basketball team, TSSAA East Tennessee Sectional Tournament champions. by \*Clabough.

**Senate Joint Resolution No. 168** -- Memorials, Public Service - Marlon Hawks. by \*Kyle, \*Carter, \*Cohen, \*Herron.

**Senate Joint Resolution No. 169** -- Memorials, Academic Achievement - Elisabeth Kidd, Valedictorian, Westmoreland High School. by \*Graves.

**Senate Joint Resolution No. 170** -- Memorials, Death - Dr. Edward Atkinson. by \*Kurita.

**Senate Joint Resolution No. 171** -- Memorials, Recognition and Thanks - Medical Auxiliary of Washington-Unicoi-Johnson County Medical Association, 50th Anniversary. by \*Crowe, \*Haun.

**Senate Joint Resolution No. 172** -- Memorials, Recognition and Thanks - University School, Johnson City - "Good Sports Always Recycle" Environmental Award. by \*Crowe.

**Senate Joint Resolution No. 173** -- Memorials, Retirement - Dr. Albert Mitchum. by \*Kurita.

**Senate Joint Resolution No. 174** -- Memorials, Death - Eloise Broemel. by \*Womack, \*Burks, \*Henry, \*Kyle, \*Cooper, \*Herron.

**Senate Joint Resolution No. 175** -- Memorials, Recognition and Thanks - Dr. Thurman L. Pedigo. by \*Cooper, \*Kurita.

**Senate Joint Resolution No. 176** -- Memorials, Recognition and Thanks - Sanja Simic from Bosnia, Honorary citizen. by \*Ramsey.

**Senate Joint Resolution No. 194** -- Memorials, Sports - Trousdale County High School football team, TSSAA 1998 Class A state champion. by \*Rochelle, \*Atchley, \*Blackburn, \*Burchett, \*Burks, \*Carter, \*Clabough, \*Cohen, \*Cooper, \*Crowe, \*Crutchfield, \*Davis L, \*Dixon, \*Elsea, \*Ford J, \*Fowler, \*Graves, \*Harper, \*Haun, \*Haynes, \*Henry, \*Herron, \*Kurita, \*Kyle, \*Leatherwood, \*McNally, \*Miller J, \*Person, \*Ramsey, \*Rochelle, \*Springer, \*Wilder, \*Williams, \*Womack.

**Senate Joint Resolution No. 195** -- Memorials, Sports - Ezell-Harding Christian School "Lady Eagles" girls' fast pitch softball team, TSSAA Class A state champions. by \*Rochelle, \*Henry.

SENATE BILLS TRANSMITTED

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk pending third consideration of the companion House Bill as noted:

**\*Senate Bill No. 191** -- Development Districts - Authorizes community development agencies in Shelby County to act as housing authorities; exempts Shelby County from provision limiting powers of housing authority. Amends TCA Title 13, Chapter 20. by \*Dixon, \*Harper. (HB946 by \*Brooks, \*Brown, \*Jones, S., \*DeBerry L, \*Bowers, \*Miller L)

**\*Senate Bill No. 260** -- Arrests - Authorizes law enforcement officer having probable cause to believe that person has been notified of and violated condition of release on bail in domestic violence case to arrest such person without warrant; punishes such violation by revocation of bail and contempt of court. Amends TCA Title 40, Chapter 11 and Title 40, Chapter 7. by \*Burks, \*McNally, \*Williams, \*Person, \*Miller J, \*Haynes, \*Kurita. (HB1136 by \*McMillan, \*Odom)

**Senate Bill No. 280** -- Historical Commission - Directs commission to place five historical markers throughout state commemorating African-American culture and history and to replace and/or repair 20 state historical markers throughout Tennessee that are missing or in need or repair; directs placement of marker at Middle Tennessee State University to honor James McGill Buchanan. by \*Dixon. (\*HB218 by \*Pruitt, \*Langster)

**\*Senate Bill No. 286** -- Sunset Laws - Domestic violence state coordinating council, June 30, 2003; revises membership to require member from each congressional district. Amends TCA Title 4, Chapter 29, and Title 38, Chapter 12. by \*Springer, \*Dixon, \*Burks. (HB409 by \*Kernell, \*Garrett, \*Brooks)

**Senate Bill No. 309** -- Insurance, Health, Accident - Requires annual chlamydia screening tests for certain females to be made available on optional basis as part of or as endorsement to accident and sickness insurance policies that provide major medical insurance coverage. Amends TCA Title 56, Chapter 7, Part 26. by \*Ford J, \*Dixon, \*Williams. (\*HB227 by \*Bowers)

**Senate Bill No. 386** -- Public Defenders - Allows newly employed public defenders reasonable length of time to conclude or transfer cases pending over from private practice; empowers district public defender to approve certain prior service credits for assistant public defenders and district investigators; deletes prior service credit computation provision. Amends TCA Title 8, Chapter 14. by \*Person, \*Crowe. (\*HB335 by \*Buck)

**\*Senate Bill No. 423** -- Accountants - Revises certain reciprocity and confidentiality provisions of Tennessee Accountancy Act of 1998; corrects TCA internal cross-references. Amends TCA Title 62, Chapter 1, Part 1. by \*Atchley, \*McNally. (HB826 by \*Rinks)

**\*Senate Bill No. 677** -- Driver Licenses - Authorizes payment plan for court fines and costs for traffic offenses. Amends TCA Section 55-50-502. by \*Dixon, \*Kyle, \*Harper. (HB860 by \*Turner (Shelby), \*Cooper B, \*Brooks, \*Towns, \*Chumney, \*Pruitt, \*Bowers, \*Brown, \*DeBerry L, \*Miller L, \*DeBerry J, \*Robinson, \*Kernell, \*Pleasant)

**MONDAY, MARCH 22, 1999 -- NINETEENTH LEGISLATIVE DAY**

**\*Senate Bill No. 852** -- Day Care - Expands use of funds in child care facilities loan guarantee program to include extent to which applicants demonstrate commitment to providing child care other than during normal five day work week; department of human services to give child care facilities additional 5 percent subsidy for low income families if provide care beyond 7:00 a.m. to 7:00 p.m. Amends TCA Title 4, Chapter 37 and Title 71, Chapter 1. by \*Kurita. (HB1135 by \*McMillan, \*Davidson)

**\*Senate Bill No. 883** -- Naming and Designating - "The State Theatre of Tennessee," Tennessee Theatre in Knoxville. by \*Atchley. (HB1096 by \*Buttry, \*Hagood, \*Bittle, \*Boyer, \*Tindell, \*Armstrong, \*Dunn)

**Senate Bill No. 886** -- Weights and Measures - Permits company doing business in state and using word "certified" as part of name, advertising and signage prior to 7/1/97, to continue to use "certified" as part of advertising and signage; provided such use does not defraud, deceive, mislead or give false impression to public and company uses disclaimer Amends TCA Title 47, Chapter 26. by \*Atchley. (\*HB587 by \*Bittle)

**Senate Bill No. 899** -- Energy - Enacts "Energy Acquisition Corporations Act." Amends TCA Title 7, Chapter 39 and Section 7-51-910. by \*Rochelle. (\*HB740 by \*Kisber)

**\*Senate Bill No. 914** -- Taxes, Real Property - Authorizes state division of property assessments to take steps necessary to ensure compliance with classification and assessment requirements of county found in noncompliance if assessor of property or county is unable or unwilling to comply; requires county to reimburse state for costs incurred. Amends TCA Section 67-5-505. by \*Rochelle. (HB986 by \*Hargrove, \*Kisber, \*McDaniel)

**Senate Bill No. 927** -- Animals - Authorizes state apiarist to require or supervise treatment or destruction of diseased bees and contaminated bee equipment and supplies. Amends TCA Section 44-15-207. by \*Clabough. (\*HB868 by \*Kerr, \*Baird)

**\*Senate Bill No. 941** -- Regional Authorities - Allows member of existing regional planning commission to continue serving until successor has been nominated and approved. Amends TCA Section 13-3-101(c)(4). by \*Burchett. (HB1351 by \*Tindell)

**\*Senate Bill No. 1091** -- Public Records - Provides that copies of house and senate journals may be distributed to depository libraries in electronic format. Amends TCA Title 12, Chapter 6. by \*Cooper, \*Dixon. (HB1836 by \*Hargrove)

**Senate Bill No. 1113** -- Motor Vehicles - Revises brake requirements for vehicles weighing less than 7,500 pounds, and equipped with hydraulic breakaway mechanism. Amends TCA Section 55-9-204. by \*Cooper, \*Rochelle. (\*HB907 by \*Head, \*Walker (Rhea))

**Senate Bill No. 1140** -- Utilities, Utility Districts - Allows gas utility districts in Sevier County to donate funding to chambers of commerce and economic and community organizations. Amends TCA Section 7-82-304. by \*Clabough. (\*HB862 by \*Montgomery)

**\*Senate Bill No. 1162** -- Taxes, Real Property - Extends time for application for property tax relief; permits application for refund or presentation of credit voucher within 35 days from date taxes are delinquent. Amends TCA Section 67-5-701. by \*Henry, \*Rochelle. (HB1397 by \*Fowlkes)

**MONDAY, MARCH 22, 1999 -- NINETEENTH LEGISLATIVE DAY**

**Senate Bill No. 1260** -- Mortgages - Exempts from claims of assignees mortgage payments made to title holder of record. Amends TCA Title 66, by \*Miller J, \*Dixon. (\*HB891 by \*Bunch, \*Newton)

**\*Senate Bill No. 1357** -- Insurance, Health, Accident - Provides that deductible of \$200 does not apply under uninsured motor vehicle coverage if vehicle involved in accident is insured by same carrier for collision and uninsured property damage and operator of other vehicle admits fault to law enforcement officer at accident scene. Amends TCA Section 56-7-1202 and Section 56-7-1201, by \*Cohen. (HB1167 by \*McMillan)

**\*Senate Bill No. 1423** -- Unemployment Compensation - Disqualifies for unemployment compensation claimants who are totally disabled under Workers' Compensation Law. Amends TCA Section 50-7-303, by \*Haun. (HB1198 by \*Whitson)

**\*Senate Bill No. 1455** -- Taxes, Real Property - Requires newly incorporated municipalities to impose property tax based on estimate by department of revenue of amount needed to replace state-shared taxes, and municipality must provide for administration of such tax prior to receiving state-shared taxes. Amends TCA Section 6-58-112, by \*Henry. (HB1529 by \*Kisber)

**\*Senate Bill No. 1456** -- Taxes, Real Property - Changes requirement that property assessment notice describe previous year's assessment in manner which shows change in current year to requirement that both years' assessment and classification be shown. Amends TCA Section 67-5-508, by \*Henry. (HB1537 by \*White)

**\*Senate Bill No. 1496** -- Air Pollution - Authorizes contract for purchase of goods and services pertaining to motor vehicle emission inspections to be extended by municipality, county or state for an additional 60 months. Amends TCA Section 55-4-130, by \*McNally. (HB1050 by \*Williams (Williamson))

**\*Senate Bill No. 1583** -- Utilities, Utility Districts - Limits disclosure of consumers' utility records. Amends TCA Title 10, by \*Fowler, \*Ramsey, \*Blackburn, \*Williams. (HB1231 by \*Cole (Dyer), \*Hargett, \*Cooper B)

**\*Senate Bill No. 1596** -- Unemployment Compensation - Redefines "employment" for purposes of unemployment compensation to exclude, after June 30, 1999, services performed by inmates committed to custodial or penal institutions, and services of election officials and workers paid less than \$1,000 a year for services as election official or worker. Amends TCA Section 50-7-207(c), by \*Burchett, \*Elsa. (HB1112 by \*Pleasant, \*Ford S)

**\*Senate Bill No. 1603** -- Banks and Financial Institutions - Rewrites laws regulating banks and financial institutions; adds regulations for private trust companies. Amends TCA Title 45, Chapters 1 and 2 and Section 45-11-105(c), by \*Elsa, \*McNally, \*Dixon. (HB1119 by \*Wood, \*McDaniel)

**Senate Bill No. 1613** -- Common Carriers - Defines certain motor carriers; deletes requirement for certain temporary certificates. Amends TCA Title 65, Chapter 15, by \*Haun, \*McNally. (\*HB1129 by \*Westmoreland, \*Ford S)

## MONDAY, MARCH 22, 1999 -- NINETEENTH LEGISLATIVE DAY

**Senate Bill No. 1615** -- Motor Vehicles, Titling and Registration - Revises registration requirements and fees for certain motor vehicles; imposes penalty for commercial use of certain private motor vehicles; requires certain persons to notify department of safety of name or address change within ten days. Amends TCA Title 55, Chapters 3 and 4. by \*Haun, \*McNally. (\*HB1131 by \*Westmoreland, \*Ford S)

**\*Senate Bill No. 1629** -- Driver Licenses - Prohibits department of safety from including social security number on face of person's driver license unless specifically requested by that person. Amends TCA Section 36-5-1301; Section 55-25-105; Section 55-50-321; Section 55-50-331; Section 55-50-406 and Section 55-50-407. by \*Leatherwood, \*Henry. (HB1325 by \*Hargett)

**\*Senate Bill No. 1735** -- Sunset Laws - Department of children's services, June 30, 2003. Amends TCA Title 4, Chapter 29, and Title 37, Chapter 5. by \*Springer. (HB1784 by \*Kernell)

### HOUSE BILLS ON SECOND CONSIDERATION

On motion, bills listed below passed second consideration and were referred by the Speaker to Committee or held on the Clerk's desk as noted:

**House Bill No. 1941** -- Rutherford County -- Local Bill Held on House Desk

### CONSENT CALENDAR

**House Bill No. 843** -- Highway Signs - Designates "Albert Gore, Sr. Memorial Interstate Highway System" in Tennessee; provides for appropriate signage. by \*Naifeh, \*Rinks, \*DeBerry L, \*Hargrove, \*Williams (Williamson), \*Langster, \*Bone, \*McDonald, \*West. (\*SB165 by \*Cohen, \*Atchley, \*Burks, \*Clabough, \*Cohen, \*Cooper, \*Crowe, \*Crutchfield, \*Davis L, \*Dixon, \*Elsea, \*Ford J, \*Fowler, \*Graves, \*Harper, \*Haun, \*Haynes, \*Henry, \*Herron, \*Kurita, \*Kyle, \*Leatherwood, \*McNally, \*Person, \*Rochelle, \*Springer, \*Wilder, \*Williams, \*Womack)

On motion, House Bill No. 843 was made to conform with **Senate Bill No. 165**; the Senate Bill was substituted for the House Bill.

**\*House Bill No. 885** -- Motor Vehicles, Titling and Registration - Authorizes issuance of license plate for city of Oak Ridge Amends TCA Title 55, Chapter 4. by \*Caldwell, \*Ferguson. (SB970 by \*McNally, \*Davis L)

On motion, House Bill No. 885 was made to conform with **Senate Bill No. 970**; the Senate Bill was substituted for the House Bill.

**\*House Resolution No. 2** -- General Assembly, Review Or Ratification of Rules - Ratifies amendments to Tennessee Rules of Civil Procedure. by \*Buck.

**\*House Resolution No. 3** -- General Assembly, Review Or Ratification of Rules - Ratifies amendments to Tennessee Rules of Appellate Procedure. by \*Buck.

**MONDAY, MARCH 22, 1999 -- NINETEENTH LEGISLATIVE DAY**

**\*House Resolution No. 4** -- General Assembly, Review Or Ratification of Rules - Ratifies amendments to Tennessee Rules of Evidence. by \*Buck.

**\*House Bill No. 218** -- Historical Commission - Directs commission to place five historical markers throughout state commemorating African-American culture and history and to replace and/or repair 20 state historical markers throughout Tennessee that are missing or in need or repair. by \*Pruitt, \*Langster. (SB280 by \*Dixon)

On motion, House Bill No. 218 was made to conform with **Senate Bill No. 280**; the Senate Bill was substituted for the House Bill.

**\*House Bill No. 1871** -- Corporations, Not for Profit - Eliminates requirement that nonprofit corporation obtain certificate from commissioner of revenue certifying that such corporation has filed all reports and paid all taxes and penalties in order to reinstate its charter or certificate. Amends TCA Section 48-64-203 and Section 48-65-303. by \*Gunnels. (SB1792 by \*Elsea, \*Atchley)

**\*House Bill No. 587** -- Weights and Measures - Permits company doing business in state and using word "certified" as part of name, advertising and signage prior to 7/1/97, to continue to use "certified" as part of advertising and signage; provided such use does not defraud, deceive, mislead or give false impression to public and company uses disclaimer Amends TCA Title 47, Chapter 26. by \*Bittle. (SB886 by \*Atchley)

On motion, House Bill No. 587 was made to conform with **Senate Bill No. 886**; the Senate Bill was substituted for the House Bill.

**\*House Bill No. 201** -- Municipal Government - Requires municipalities to redistrict at least once every ten years. Amends TCA Section 6-54-102. by \*Williams (Williamson). (SB853 by \*Kurita)

**House Bill No. 1239** -- Highway Signs - "Senator Carl O. Koella, Jr., Memorial Highway," I-140 from I-40 in Knox County to U.S. 321 in Blount County. by \*Kerr, \*McCord, \*Montgomery, \*Buttry. (\*SB923 by \*Clabough, \*Cooper, \*Atchley, \*Blackburn, \*Burchett, \*Burks, \*Carter, \*Clabough, \*Cohen, \*Crowe, \*Crutchfield, \*Davis L, \*Dixon, \*Elsea, \*Ford J, \*Fowler, \*Graves, \*Harper, \*Haun, \*Haynes, \*Henry, \*Herron, \*Kurita, \*Kyle, \*Leatherwood, \*McNally, \*Miller J, \*Person, \*Ramsey, \*Rochelle, \*Springer, \*Wilder, \*Williams, \*Womack)

On motion, House Bill No. 1239 was made to conform with **Senate Bill No. 923**; the Senate Bill was substituted for the House Bill.

**\*House Bill No. 421** -- Highways, Roads and Bridges - Requires chief administrative officers under county uniform highway law to demonstrate receipt of high school diploma or equivalency diploma if such diploma required under law. Amends TCA Section 54-7-104. by \*Rhinehart. (SB614 by \*Davis L)

On motion, House Bill No. 421 was made to conform with **Senate Bill No. 614**; the Senate Bill was substituted for the House Bill.

**\*House Joint Resolution No. 80** -- Highway Signs - "Lacy Belk Memorial Bridge," U.S. 41 and S.R. 150 spanning Pryor Cove Branch in Marion County. by \*Rhinehart.

**MONDAY, MARCH 22, 1999 -- NINETEENTH LEGISLATIVE DAY**

**\*House Resolution No. 19** -- Highway Signs - "Sam Grissom Memorial Bridge," bridge spanning Caney Fork River on S.R. 136 between Warren and White counties. by \*Rhinehart, \*Curtiss.

**\*Senate Joint Resolution No. 28** -- Highway Signs - Second Harvest Food Bank of Northeast Tennessee, I-181, Exit 42, Washington County. by \*Crowe.

**House Bill No. 738** -- Fireworks - Allows sale of Class C common fireworks by previously licensed retailers when county's population grows to over 200,000. Amends TCA Section 68-104-112. by \*West. (\*SB326 by \*Rochelle)

On motion, House Bill No. 738 was made to conform with **Senate Bill No. 326**; the Senate Bill was substituted for the House Bill.

**House Bill No. 826** -- Accountants - Revises certain reciprocity and confidentiality provisions of Tennessee Accountancy Act of 1998; corrects TCA internal cross-references. Amends TCA Title 62, Chapter 1, Part 1. by \*Rinks. (\*SB423 by \*Atchley, \*McNally)

On motion, House Bill No. 826 was made to conform with **Senate Bill No. 423**; the Senate Bill was substituted for the House Bill.

**House Bill No. 845** -- Architects, Engineers and Designers - Changes date from 1-1-26 to 1-1-28 so that engineers born prior to 1-1-28 exempt from continuing education requirements. Amends TCA Section 62-2-406. by \*Rinks. (\*SB400 by \*Cooper)

**\*House Bill No. 1764** -- Highway Signs - "Charlie and Marie Franks Memorial Bridge," bridge spanning Cartwright Creek on S.R. 106, Williamson County. by \*Sargent. (SB1767 by \*Blackburn)

On motion, House Bill No. 1764 was made to conform with **Senate Bill No. 1767**; the Senate Bill was substituted for the House Bill.

**House Bill No. 1933** -- Morristown - Subject to local approval, authorizes city council to appoint one of its members or mayor to joint board or commission created pursuant to Interlocal Cooperation Act, so long as council member or mayor does not vote for himself and so long as appointment does not conflict with general law or charter. by \*Ford S. (SB1935 by \*Haun)

**House Bill No. 1935** -- Cocke County - Redefines "hotel" for purposes of occupancy tax on hotels and motels. Amends Chapter 216 of the Private Acts of 1980. by \*Davis (Cocke). (SB1937 by \*Haun)

**House Bill No. 1940** -- Lauderdale County - Subject to local approval, reduces size of county highway commission from three to two to serve four year staggered terms. Amends Chapter 304 of the Private Acts of 1929, as amended. by \*Fitzhugh. (SB1939 by \*Leatherwood)

**House Joint Resolution No. 152** -- Memorials, Recognition and Thanks - Reverend and Mrs. J. D. Jamerson. by \*Brooks, \*Kernell, \*DeBerry L, \*Turner (Shelby), \*DeBerry J, \*Miller L, \*Jones U (Shelby), \*Armstrong, \*Towns, \*Cooper B, \*Bowers.

**MONDAY, MARCH 22, 1999 -- NINETEENTH LEGISLATIVE DAY**

**Senate Joint Resolution No. 155** -- Memorials, Academic Achievement - Kristina Dolores Bagwell, Salutatorian, Jo Byrns High School. by \*Graves.

**Senate Joint Resolution No. 156** -- Memorials, Academic Achievement - Alicia Dawn Thompson, Valedictorian, Jo Byrns High School. by \*Graves.

**Senate Joint Resolution No. 157** -- Memorials, Academic Achievement - Melinda Faye Coker, Valedictorian, Portland High School. by \*Graves.

**Senate Joint Resolution No. 158** -- Memorials, Academic Achievement - Fay Allen Dickens, Valedictorian, Portland High School. by \*Graves.

**Senate Joint Resolution No. 159** -- Memorials, Academic Achievement - Valerie Leigh Brown, Salutatorian, Portland High School. by \*Graves.

**Senate Joint Resolution No. 160** -- Memorials, Death - Andrew Jackson Dancy, Jr. by \*Ford J, \*Cohen, \*Dixon, \*Kyle, \*Person.

**Senate Joint Resolution No. 161** -- Memorials, Academic Achievement - Stephen Chmely, Salutatorian, Gallatin High School. by \*Graves.

**Senate Joint Resolution No. 162** -- Memorials, Academic Achievement - Kristoffer Vernon Sargent, Salutatorian, Beech High School. by \*Graves.

**Senate Joint Resolution No. 163** -- Memorials, Academic Achievement - Amy Beth Parker, Valedictorian, E.B. Wilson Night School. by \*Graves.

**Senate Joint Resolution No. 164** -- Memorials, Academic Achievement - Sharon Albrecht, Valedictorian, Beech High School. by \*Graves.

**Senate Joint Resolution No. 165** -- Memorials, Academic Achievement - Abigail Arcinas, Salutatorian, E.B. Wilson Night School. by \*Graves.

**Senate Joint Resolution No. 166** -- Memorials, Public Service - AIM Center. by \*Crutchfield, \*Fowler, \*Dixon.

**OBJECTION -- CONSENT CALENDAR**

Objection(s) was/were filed to the following on the Consent Calendar:

**House Bill No. 201:** by Rep. Sands

Under the rules, **House Bill No. 201** was/were placed at the foot of the calendar for March 24, 1999.

Rep. Kerr moved that all members voting aye on House Bill No. 1239 be added as sponsors, which motion prevailed.

Rep. Hargrove moved that all members voting aye on House Bill No. 843 be added as sponsors, which motion prevailed.

**MONDAY, MARCH 22, 1999 -- NINETEENTH LEGISLATIVE DAY**

Pursuant to **Rule No. 50**, Rep. Phillips moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes .....96  
Noes .....0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

**REGULAR CALENDAR**

**House Bill No. 211--** Tattoo Parlors and Piercing Establishments - Requires minors age 17 or younger to have written permission of parent or guardian before receiving body piercing. Amends TCA Title 62, Chapter 38, by \*Ferguson, \*Maddox, \*Fitzhugh, \*Walker (Rhea), \*Stulce. (\*SB210 by \*Davis L, \*Miller J, \*Burks, \*Crowe)

Further consideration of House Bill No. 211 previously considered on March 8, 1999 and reset for today's Calendar.

Rep. Ferguson requested that House Bill No. 211 be moved to the heel of the Calendar.

**House Bill No. 762 --** Criminal Procedure - Authorizes contempt finding for knowing failure of agency to provide defendant or defendant's attorney with copy of arrest warrant; requires agency to pay attorney fees and court costs incurred by defendant in obtaining copy of such warrant. - Amends TCA Title 40, Chapter 6, Part 2. by \*Buck. (\*SB693 by \*Kyle)

On motion, House Bill No. 762 was made to conform with **Senate Bill No. 693**; the Senate Bill was substituted for the House Bill.

Rep. Buck moved that Senate Bill No. 693 be passed on third and final consideration.

Rep. Buck moved adoption of Judiciary Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND Senate Bill No. 693 by deleting from the amendatory language of the first sentence of subsection (b) of Section 1 of the printed bill the word "shall" and substituting instead the word "may".

On motion, Judiciary Committee Amendment No. 1 was adopted.

Rep. Buck moved that **Senate Bill No. 693**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	96
Noes .....	0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odum, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

**\*House Bill No. 259** -- Judges and Chancellors - Removes requirement that justices and judges have six months to request senior judge or justice status after retirement. Amends TCA Section 17-2-302. by \*Buck, \*Fowlkes, \*Sands. (SB379 by \*Person, \*Crutchfield, \*Williams)

On motion, House Bill No. 259 was made to conform with **Senate Bill No. 379**; the Senate Bill was substituted for the House Bill.

Rep. Buck moved that Senate Bill No. 379 be passed on third and final consideration.

Rep. Buck moved adoption of Judiciary Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND Senate Bill No. 379 by deleting in Section 1 of the printed bill the language "subsection (2)" and by substituting instead the language "subsection (a)".

On motion, Judiciary Committee Amendment No. 1 was adopted.

Rep. Buck moved that **Senate Bill No. 379**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	93
Noes .....	0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 93.

A motion to reconsider was tabled.

**\*House Bill No. 547** -- Zoning - Authorizes Germantown to increase board of zoning appeals membership from five to seven members. Amends TCA Section 13-7-205. by \*Scroggs. (SB1632 by \*Leatherwood)

Rep. Scroggs moved that **House Bill No. 547** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	94
Noes .....	0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Harwell, Hassell, Head, Hood, Jackson, Jones S., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 94.

A motion to reconsider was tabled.

**House Bill No. 549** -- Real Property - Defines "parties interested" in foreclosure statute; "parties interested" means any person who has recorded interest in the property at least ten days prior to date of first advertisement or publication of foreclosure notice; resolves question as to liability of trustee to second mortgagee or other party not listed in notice. Amends TCA Title 35, Chapter 5. by \*Scroggs. (\*SB507 by \*Rochelle)

On motion, House Bill No. 549 was made to conform with **Senate Bill No. 507**; the Senate Bill was substituted for the House Bill.

**MONDAY, MARCH 22, 1999 – NINETEENTH LEGISLATIVE DAY**

Rep. Scroggs moved that Senate Bill No. 507 be passed on third and final consideration.

On motion, Rep. Buck withdrew Judiciary Committee Amendment No. 1.

Rep. Scroggs moved that **Senate Bill No. 507** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	94
Noes .....	0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh – 94.

A motion to reconsider was tabled.

**House Bill No. 1072** -- Claims Commission, Tennessee - Permits claims commission claim for retaliation against state employee for filing workers' compensation claim as alternative to civil service grievance; prohibits termination of state employee for asserting any right protected by statute; retroactive for all claims filed on or after July 1, 1992. Amends TCA Title 9, Chapter 8, Part 3. by \*Chumney. (\*SB28 by \*Cohen)

On motion, House Bill No. 1072 was made to conform with **Senate Bill No.28**; the Senate Bill was substituted for the House Bill.

Rep. Chumney moved that Senate Bill No. 28 be passed on third and final consideration.

On motion, Rep. Buck withdrew Judiciary Committee Amendment No. 1.

Rep. Chumney moved that **Senate Bill No. 28** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	95
Noes .....	0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

**\*House Bill No. 676** -- Education - Enacts the "Tennessee Literacy Initiative Act of 1999" Amends TCA Title 49, Chapter 1. by \*Williams (Williamson), \*Hargrove, \*Naifeh, \*DeBerry L., \*Rinks, \*Arriola, \*McDonald, \*Kisber, \*Armstrong, \*Turner (Shelby), \*Stulce, \*Sands, \*Pinion, \*Jones, S., \*Lewis, \*Ridgeway, \*Bone, \*Robinson, \*Ferguson, \*Brooks, \*Tindell, \*Eckles, \*West, \*Hood, \*Caldwell, \*Fraley, \*Turner (Hamilton), \*Maddox, \*Odom, \*Pruitt, \*Winningham, \*McMillan, \*Cooper B., \*Cole (Dyer), \*Langster, \*Fitzhugh, \*White, \*Dunn, \*Jackson, \*Davidson. (SB1240 by \*Haynes, \*Cooper)

Rep. Williams moved that **House Bill No. 676** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	96
Noes .....	0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

**House Bill No. 1454** -- Motor Vehicles, Titling and Registration - Authorizes issuance of new specialty earmarked plates for Special Olympics; earmarks portion of revenues from sale thereof to Tennessee Special Olympics Amends TCA Title 55, Chapter 4. by \*Briley, \*Boyer, \*McDonald, \*Pleasant, \*Cooper B., \*Maddox. (\*SB1546 by \*Rochelle)

Rep. Briley moved that House Bill No. 1454 be passed on third and final consideration.

Rep. Maddox moved the previous question, which motion prevailed.

**MONDAY, MARCH 22, 1999 -- NINETEENTH LEGISLATIVE DAY**

Rep. Briley moved that **House Bill No. 1454** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....95  
Noes .....0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

**House Bill No. 1720** -- Insurance Companies, Agents, Brokers, Policies - Enacts "Tennessee Creditor-Placed Insurance Act of 1999." by \*Rhinehart, \*Buck. (\*SB1712 by \*Womack)

Rep. Rhinehart moved that House Bill No. 1720 be passed on third and final consideration.

Rep. Kernell moved adoption of Government Operations Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 1720 By deleting in their entirety Sections 14, 16, and 17 of the printed bill, by substituting the following as new Section 14, and by renumbering the remaining sections appropriately:

**SECTION 14.**

(a) The commissioner may conduct investigations and/or examinations of insurers and agents to ensure compliance with an enforcement of the provisions of the act or any rule, regulation or order hereunder. Such examination or investigation shall be conducted and subject to the provision of § 56-1-411 and Title 56, Chapter 8, Part 1.

(b) The commissioner may by order, deny, suspend or revoke an insurer's certificate of authority or an agent's license if the commissioner finds that such insurer or agent has violated any provision of the act. Every hearing or other proceeding, except examinations or investigations conducted pursuant to this part, held under the provisions of this act which determines or affects the legal rights, duties, or privileges of an insurer or an agent shall be deemed to be a "contested case" under the Uniform Administrative Procedures Act, compiled in Title 4, Chapter 5, and shall be conducted as required by that act, unless otherwise noted.

(c) If the commissioner has reason to believe that any person or entity is engaging in any activity that would be a violation of this part or any rule promulgated under this part, the commissioner may issue an order directing that person or entity to cease and desist from committing the violations, impose a civil penalty for the violations, provide an equitable remedy for past violations, or any combination of these. Such order may be issued without prior notice if the commissioner makes a finding that such order is necessary for the protection of policyholders and that the public health, safety, and welfare require the order to be issued without prior notice to affected parties. At any hearing or other proceeding conducted as a result of an order to cease and desist, pursuant to this part, the person or entity subject to the order shall be required to show cause why such order should be annulled, modified or confirmed.

(d) Whenever it appears to the commissioner that any person or entity has engaged or is about to engage in an act of practice constituting a violations of any provision of this act or any rule, regulation or order hereunder, the commissioner may, in the commissioner's discretion, bring an action in chancery court of any county in this state to enjoin the acts or practices and to enforce compliance with this act or any rule, regulation or order hereunder. Upon a proper showing, a permanent of temporary injunction, restraining order, writ of mandamus, disgorgement, or other proper equitable relief shall be granted.

(e) Additionally, upon a finding that any person or entity has violated a provision of this act, the commissioner may impose a civil penalty of not more than one thousand dollars (\$1,000) for each violation not to exceed in the aggregate one hundred thousand dollars (\$100,000), unless the violation was committed flagrantly in conscious disregard of the act, in which case the penalty shall not be more than twenty-five thousand dollars (\$25,000) for each violation, not to exceed in the aggregate two hundred fifty thousand dollars (\$250,000).

(f) Any person aggrieved by a final order of the commissioner under the act may obtain judicial review of the order in the chancery court of Davidson county by proceedings in accordance with the Uniform Procedures Act, compiled in Title 4, Chapter 5.

AND FURTHER AMEND by deleting the term "producer" wherever it may appear in the bill and by substituting instead the word "agent".

**MONDAY, MARCH 22, 1999 -- NINETEENTH LEGISLATIVE DAY**

AND FURTHER AMEND adding the following new subdivision to Section 3 of the printed bill:

"Commissioner" means the commissioner of commerce and insurance;

On motion, Government Operations Committee Amendment No. 1 was adopted.

Rep. Curtiss moved adoption of Amendment No. 2 as follows:

**Amendment No. 2**

AMEND House Bill No. 1720 by deleting from subsection 12(e) of the printed bill, the word "producers" and by substituting instead the language "creditor-related agents."

On motion, Amendment No. 2 was adopted.

Rep. Rhinehart moved that House Bill No. 1720, as amended, be passed on third and final consideration.

Rep. Churney moved that House Bill No. 1720 be reset for the Regular Calendar on March 24, 1999, which motion prevailed.

**\*House Bill No. 1532** -- Historical Sites and Preservation - Provides for erection of plaque in Watertown to honor Wilson Lawrence Waters, founder of the city. by \*Phillips, \*Bone. (SB1916 by \*Rochelle)

Rep. Phillips moved that House Bill No. 1532 be passed on third and final consideration.

Rep. Ridgeway moved adoption of Conservation and Environment Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 1532 By deleting from the amendatory language of the fifth clause of the preamble the word "supported" and substituting instead the word "nominated".

AND FURTHER AMEND by deleting the eighth clause of the preamble in its entirety and substituting instead the following:

WHEREAS, Wilson Lawrence was the proud father of ten children; upon his death in 1903 he was laid to rest in the Waters Cemetery, three blocks northeast of the town square; and

AND FURTHER AMEND by deleting from the amendatory language of the ninth clause of the preamble the word "grandson" and substituting instead the word "descendant".

On motion, Conservation and Environment Committee Amendment No. 1 was adopted.

**MONDAY, MARCH 22, 1999 -- NINETEENTH LEGISLATIVE DAY**

Rep. Phillips moved that **House Bill No. 1532**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	94
Noes .....	0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odum, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 94.

A motion to reconsider was tabled.

**House Bill No. 1110** -- Teachers, Principals and School Personnel - Requires commissioner of education to review evaluations of teachers and applicants; deletes state conducted evaluations of apprentice teachers Amends TCA Section 49-5-5205. by \*Davis (Cocke), \*Ford S. (\*SB1594 by \*Crowe, \*Atchley)

On motion, House Bill No. 1110 was made to conform with **Senate Bill No. 1594**; the Senate Bill was substituted for the House Bill.

Rep. Davis (Cocke) moved that **Senate Bill No. 1594** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	92
Noes .....	0
Present and not voting .....	1

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Black, Bone, Bowers, Briley, Brooks, Brown, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odum, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 92.

Representatives present and not voting were: Boyer -- 1.

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from not voting to yes on Senate Bill 1594 and have this statement entered in the Journal: Rep(s). J. DeBerry.

REGULAR CALENDAR, CONTINUED

**House Bill No. 1105** -- Explosives - Specifies procedure for notification and investigation after blasting accident. Amends TCA Section 68-105-109. by \*Sargent, \*Boyer. (\*SB1589 by \*Haun, \*Atchley)

Rep. Sargent moved that **House Bill No. 1105** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	93
Noes .....	0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 93.

A motion to reconsider was tabled.

**\*House Bill No. 1576** -- Health - Places director of schools or director's designee on county board of health instead of county superintendent of schools. Amends TCA Section 68-2-601. by \*Sargent. (SB1702 by \*Blackburn)

Rep. Sargent moved that **House Bill No. 1576** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	95
Noes .....	0
Present and not voting .....	1

**MONDAY, MARCH 22, 1999 -- NINETEENTH LEGISLATIVE DAY**

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Black, Bone, Bowers, Boyer, Briley, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

Representatives present and not voting were: Brooks -- 1.

A motion to reconsider was tabled.

**House Bill No. 858** -- Motor Vehicles, Titling and Registration - Authorizes issuance of Prince Hall Masonry new specialty earmarked license plates; earmarks portion of revenues from sale thereof to benefit Orange Mound charities Amends TCA Title 55, Chapter 4. by \*Turner (Shelby), \*Miller L., \*DeBerry J., \*Chumney, \*Pruitt, \*Brooks. (\*SB675 by \*Dixon)

Rep. Turner (Shelby) moved that **House Bill No. 858** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	94
Noes .....	0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 94.

A motion to reconsider was tabled.

**House Bill No. 1368** -- Chiropractors - Authorizes board of chiropractic examiners to adopt rules to establish minimum standards and criteria for persons performing therapeutic procedures in chiropractic physician's office; regulations to include grandfathering, waiver, reciprocity, renewal, continuing education, fees, examination and hardship cases. Amends TCA Title 63, Chapter 4, Part 1. by \*Odom, \*Hargett, \*Arriola, \*Jones, S., \*Armstrong, \*Pleasant. (\*SB1032 by \*Cooper, \*Ford J)

Rep. Odom moved that House Bill No. 1368 be passed on third and final consideration.

**MONDAY, MARCH 22, 1999 -- NINETEENTH LEGISLATIVE DAY**

Rep. Kernell moved adoption of Government Operations Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 1368 By deleting the language "physical therapy" from subsection (a)(1) of the amendatory language of Section 1 and by substituting instead the language "physical agent modalities".

On motion, Government Operations Committee Amendment No. 1 was adopted.

Rep. Odom moved that **House Bill No. 1368**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....95  
Noes .....0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

**House Bill No. 1622** -- Chiropractors - Places certain requirements on health care provider prior to performing spinal manipulation or spinal adjustment; does not apply to scope of practice of physicians, surgeons or osteopathic physicians. Amends TCA Section 63-4-101. by \*Odom, \*Jones, S.. (\*SB1652 by \*Cooper)

Rep. Odom moved that House Bill No. 1622 be passed on third and final consideration.

Rep. Armstrong moved adoption of Health and Human Resources Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 1622 By deleting the words "or leverage" from the second sentence of subsection (e)(1) of the amendatory language of Section 1.

On motion, Health and Human Resources Committee Amendment No. 1 was adopted.

Rep. Hargett moved the previous question, which motion prevailed.

**MONDAY, MARCH 22, 1999 – NINETEENTH LEGISLATIVE DAY**

Rep. Odom moved that **House Bill No. 1622**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	95
Noes .....	0
Present and not voting .....	1

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

Representatives present and not voting were: Jackson -- 1.

A motion to reconsider was tabled.

**\*House Bill No. 508** -- Consumer Protection - Imposes additional consumer protections for contests and sweepstakes. Amends TCA Title 47, Chapter 18, Part 1. by \*Odom, \*Bowers, \*Pleasant, \*Miller L, \*Towns. (SB625 by \*Haynes)

Rep. Odom moved that House Bill No. 508 be passed on third and final consideration.

Rep. Odom moved adoption of Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 508 by deleting in its entirety subdivision (d)(3) of the amendatory section in Section 1 of the printed bill and by renumbering the subsequent subdivision accordingly.

On motion, Amendment No. 1 was adopted.

Rep. Odom moved that **House Bill No. 508**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	95
Noes .....	0

**MONDAY, MARCH 22, 1999 – NINETEENTH LEGISLATIVE DAY**

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

**\*House Bill No. 225** — Agriculture - Enacts "Agricultural Fiber Technology Act of 1999.", by \*Bowers, \*Cooper B. (SB279 by \*Dixon)

Further consideration of House Bill No. 225 previously considered on March 18, 1999 and reset for today's Calendar.

Rep. Bowers moved that House Bill No. 225 be passed on third and final consideration.

Rep. Givens moved adoption of Agriculture Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 225 by deleting Section 4 of the introduced bill in its entirety and by substituting instead the following:

SECTION 4. To effectuate the purposes of this act, the department of agriculture shall contract with Agricenter International in Memphis to carry out the mission of this pilot project. The scope of the contract shall be contingent upon appropriations allocated by the general assembly for purposes of implementing this act.

On motion, Agriculture Committee Amendment No. 1 was adopted.

Rep. Bowers moved adoption of Amendment No. 2 as follows:

**Amendment No. 2**

AMEND House Bill No. 225 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION \_\_\_\_\_. Nothing in this act shall be construed to authorize the development of or research relative to any strain or variety of Cannabis sativa L. or any other plant containing a measurable quantity of delta-9 tetrahydrocannabinol (THC).

On motion, Amendment No. 2 was adopted.

**MONDAY, MARCH 22, 1999 -- NINETEENTH LEGISLATIVE DAY**

Rep. Newton moved that Amendment No. 3 be withdrawn, which motion prevailed.

Rep. Bowers moved that **House Bill No. 225**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	73
Noes .....	0
Present and not voting .....	17

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fowlkes, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Harwell, Hassell, Head, Hood, Jones S., Jones U., Kent, Kernell, Kerr, Langster, McCord, McDaniel, McKee, McMillan, Miller, Montgomery, Newton, Phelan, Pleasant, Pruitt, Rinks, Roach, Robinson, Scroggs, Sharp, Tidwell, Tindell, Todd, Towns, Turner (Shelby), Walker, Walley, West, Westmoreland, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 73.

Representatives present and not voting were: Buttry, Ford, Fraley, Hargrove, Jackson, Kisber, Lewis, Maddox, McDonald, Mumpower, Odom, Patton, Pinion, Rhinehart, Ridgeway, Sargent, Stulce -- 17.

A motion to reconsider was tabled.

**House Bill No. 211** -- Tattoo Parlors and Piercing Establishments - Requires minors age 17 or younger to have written permission of parent or guardian before receiving body piercing. Amends TCA Title 62, Chapter 38, by \*Ferguson, \*Maddox, \*Fitzhugh, \*Walker (Rhea), \*Stulce. (\*SB210 by \*Davis L, \*Miller J, \*Burks, \*Crowe)

Further consideration of House Bill No. 211 previously considered on today's Calendar.

On motion, House Bill No. 211 was made to conform with **Senate Bill No.210**; the Senate Bill was substituted for the House Bill.

Rep. Ferguson moved that Senate Bill No. 210, be passed on third and final consideration.

Rep. Armstrong moved adoption of Health and Human Resources Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND Senate Bill No. 210 In the second unnumbered section of the amendatory language of Section 1 by adding the following language at the end of subsection (a):

Such parent or legal guardian must be present at the business during the procedure. When providing written consent such parent or guardian shall produce photo-bearing identification and attest in writing that such individual is the minor's parent or guardian.

**MONDAY, MARCH 22, 1999 -- NINETEENTH LEGISLATIVE DAY**

AND FURTHER AMEND in the second unnumbered section of the amendatory language of Section 1 by adding the following language at the end of the section as a new subsection (f):

(f) It is a Class B misdemeanor to falsely claim to be the parent or guardian of a minor for the purpose of obtaining a body piercing procedure for a minor.

On motion, Health and Human Resources Committee Amendment No. 1 was adopted.

Rep. Ferguson moved adoption of Amendment No. 2 as follows:

**Amendment No. 2**

AMEND Senate Bill No. 210 by deleting the following language from the bill:

Section \_\_ Nothing in this act creates any liability, criminal or otherwise, for a minor who has his or her body pierced.

AND FURTHER AMEND by deleting subsection (f) from the second amendatory section of Section 1 as follows:

(f) It is not a defense to a criminal prosecution of the offense created by subsection (e) that at the time of the offense the minor possessed a letter of consent from such minor's parent or legal guardian such letter was forged as defined in TCA 39-14-114(b)(1)(A)(i).

On motion, Amendment No. 2 was adopted.

Rep. Ferguson moved that **Senate Bill No. 210**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....96  
Noes .....0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

UNFINISHED BUSINESS

RULES SUSPENDED

On motion of Rep. Hargrove and seconded by Rep. McDaniel, the rules were suspended for the immediate introduction and passage of the following bills on first consideration:

**House Bill No. 1946** -- Franklin - Returns Franklin special school district bond approval provisions to status prior to 1999 amendment by SB 479 / HB 490. Amends Chapter \_\_\_\_ of the Private Acts of 1999. by \*Williams (Williamson), \*Sargent. (SB1940 by \*Blackburn)

**House Bill No. 1947** -- Rossville - Subject to local approval, increases term of office for mayor and aldermen to four years; establishes staggered terms of aldermen. Amends Chapter 78 of the Private Acts of 1991; as amended. by \*Walley.

**House Bill No. 1948** -- Trezevant - Subject to local approval, increases term of mayor from two to four years; increases term of two of five aldermen receiving highest number of votes from two to four years; in case of tie, remaining members of board of mayor and aldermen who already declare choice elected would declare terms to be served. Amends Chapter 29 of the Private Acts of 1965. by \*Phelan. (SB1941 by \*Carter)

RULES SUSPENDED

Rep. Brown moved that the rules be suspended for the purpose of introducing House Resolution No. 32 out of order, which motion prevailed.

**House Resolution No. 32** -- Memorials, Recognition and Thanks - Andre Finch. by \*Brown.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Brown, the resolution was adopted.

A motion to reconsider was tabled.

RULES SUSPENDED

Rep. Davidson moved that the rules be suspended for the immediate consideration of Senate Joint Resolution No. 185 out of order, which motion prevailed.

**Senate Joint Resolution No. 185** -- Memorials, Professional Achievement - Paul Heffner, 1998 Conservation Farmer of the Year. by \*Graves.

On motion, the rules were suspended for the immediate concurrence in the resolution.

On motion of Rep. Davidson, the resolution was concurred in.

A motion to reconsider was tabled.

**ANNOUNCEMENTS**

**RULES SUSPENDED**

On motion of Rep. McDaniel, the rules were suspended in order to allow all House Bills on notice in the Committee on Calendar and Rules to be put on the House Consent and/or Regular Calendars for March 24, 1999 and March 25, 1999.

**SPONSORS ADDED**

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

**House Joint Resolution No. 64:** Rep(s). Cooper as prime sponsor(s).

**House Joint Resolution No. 101:** Rep(s). Phillips as prime sponsor(s).

**House Bill No. 7:** Rep(s). Kernell and Givens as prime sponsor(s).

**House Bill No. 673:** Rep(s). Cooper as prime sponsor(s).

**House Bill No. 677:** Rep(s). Cooper as prime sponsor(s).

**House Bill No. 909:** Rep(s). S. Jones, Garrett, West, Odom, Briley, and Robinson as prime sponsor(s).

**House Bill No. 1135:** Rep(s). Davidson as prime sponsor(s).

**House Bill No. 1587:** Rep(s). Buck as prime sponsor(s).

**ENROLLED BILLS**

**March 22, 1999**

The following bills have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Bills(s) No(s). 20, 21, 270, 329 and 1273.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**SIGNED**  
**March 22, 1999**

The Speaker signed the following: House Bill(s) No(s). 20, 21, 270, 329 and 1273.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE**  
**March 22, 1999**

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 185; passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**\*Senate Bill No. 185** -- Taxes - Requires state shared taxes being distributed to municipalities in Shelby County to be distributed directly to such municipalities; sets up phased-in schedule of implementation. Amends TCA Title 9, Chapter 6. by \*Kyle. (HB278 by \*Chumney, \*Bowers)

**MESSAGE FROM THE SENATE**  
**March 22, 1999**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 690; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**ENROLLED BILLS**  
**March 22, 1999**

The following bill(s) have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Joint Resolution(s) No(s). 66.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**SIGNED**  
**March 22, 1999**

The Speaker signed the following: House Joint Resolution(s) No(s). 66

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**MONDAY, MARCH 22, 1999 -- NINETEENTH LEGISLATIVE DAY**

**MESSAGE FROM THE SENATE**

**March 22, 1999**

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 141, 142 and 143; all concurred in by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**ENGROSSED BILLS**

**March 22, 1999**

The following bills have been examined, engrossed, and are ready for transmission to the Senate: House Bill(s) No(s). 225, 508, 547, 676, 845, 858, 1105, 1368, 1454, 1532, 1576, 1622, 1871, 1933, 1935 and 1940, also, House Joint Resolution(s) No(s) 80 and 152.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**CONSENT CALENDAR**

**March 22, 1999**

The following local bills have been placed on the Consent Calendar for **March 24, 1999**: House Bill No. 1934.

**ROLL CALL**

The roll call was taken with the following results:

Present.....96

Representatives present were: Armstrong, Arriola, Baird, Beavers, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

**MONDAY, MARCH 22, 1999 – NINETEENTH LEGISLATIVE DAY**

**RECESS MOTION**

On motion of Rep. Hargrove, the House stood in recess until 2:00 p.m., Wednesday, March 24, 1999.